

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
CORY COPELIN,

Plaintiff,

-against-

P.O. L. MARTINEZ, #1798, S.P.O. C.  
GUADALUPE-SMITH, HEARING OFFICER  
CHANDRA PERRY-PATTERSON, BILL  
HENDERSON, JOHN DOE, *Hearing Officer*,

Defendants.

-----X  
FEUERSTEIN, District Judge:

ORDER  
13-CV-5570 (SJF)(AKT)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 25 2013 ★

**LONG ISLAND OFFICE**

On October 2, 2013, incarcerated *pro se* plaintiff Cory Copelin ("plaintiff") filed a civil rights complaint pursuant to 28 U.S.C. § 1983 in this Court against defendants P.O. L. Martinez, S.P.O. C. Guadalupe-Smith, Hearing Officer Chandra Perry-Patterson, Bill Henderson and Hearing Officer John Doe ("Hearing Officer Doe"). Plaintiff's complaint was accompanied by an application to proceed *in forma pauperis*. By letter dated October 9, 2013, plaintiff was notified that his complaint was deficient because he did not submit the necessary Prisoner Authorization Form along with his *in forma pauperis* application. Plaintiff cured his deficiency on October 16, 2013.

Upon review of plaintiff's declaration in support of his application to proceed *in forma pauperis*, the Court determines that plaintiff's financial status qualifies him to commence this action without prepayment of the filing fees. *See* 28 U.S.C. § 1915(a)(1). Therefore, plaintiff's request to proceed *in forma pauperis* is GRANTED.

Hearing Officer Doe is identified in the complaint only by a title and the generic name "John Doe" given by the Plaintiff. The United States Marshal Service will not be able to serve this individual without more information. Accordingly, the Clerk of Court shall send a copy of the complaint and this Order to the New York State Attorney General. Pursuant to *Valentin v. Dinkins*, 121 F.3d 72 (2d Cir. 1997), the Court requests that the New York State Attorney General ascertain the name of the hearing officer identified by the plaintiff as Hearing Officer John Doe, employed at the Parole Division in Bohemia, New York, who, on or around September 2013, who was involved in the incident described in the complaint. The New York State Attorney General need not undertake to defend or indemnify this individual at this juncture. This Order merely provides a means by which plaintiff may properly serve this defendant as instructed by the Second Circuit in *Valentin*. **The New York State Attorney General is hereby requested to produce the information specified above regarding the identity of Hearing Officer John Doe to the plaintiff and to the Court within two (2) weeks from the date that this Order is served upon him. Once this information is provided, plaintiff's complaint will be amended to include the name for the person currently identified as Hearing Officer John Doe. At that time, the Clerk of Court shall issue a summons and shall forward copies of the summons, complaint, Notice of Hearing, and this Order to the United States Marshals Service for service upon the defendant currently identified as Hearing Officer John Doe without prepayment of fees.**

In order to gather the above-identified information regarding defendant Hearing Officer John Doe, service in this case shall be stayed for two (2) weeks, at the conclusion of which, the Clerk of Court is directed to also issue summonses to defendants P.O. L. Martinez, S.P.O. C. Guadalupe-Smith, Hearing Officer Chandra Perry-Patterson and Bill

**Henderson, and to forward the summonses, complaint, Notice of Hearing, and this Order to the United States Marshal Service for service upon these defendants without prepayment of fees, and to serve notice of entry of this Order in accordance with Rule 77(d)(1) of the Federal Rules of Civil Procedure by mailing a copy of this Order to the *pro se* plaintiff at his last known address, *see* Fed. R. Civ. P. 5(b)(2)(c).**

SO ORDERED.

s/ Sandra J. Feuerstein

SANDRA J. FEUERSTEIN  
United States District Judge

Dated: October 25, 2013  
Central Islip, New York